

## **REMARKS**

### **Summary of the Office Action**

Claims 1-6, 8, 20-27, 29-32, 34 and 41-42 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Akiyama* (U.S. Patent No. 6,542,208) in view of *Okamoto* (U.S. Patent Publication No. 2002/357825).

Claims 7, 9, 33 and 35-37 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Akiyama* in view of *Okamoto* and further in view of *Hirata* (U.S. Patent Publication No. 2002/0047958).

Claims 10-11 and 17 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Akiyama* in view of *Okamoto* and *Hirata* and further in view of *La Roche* (U.S. Patent No. 4,025,161).

### **Summary of the Response to the Office Action**

Applicants have amended independent claims 1, 15 and 27 to differently define the invention. Accordingly, claims 1-11, 15-37, 41 and 42 remain pending in this application for further consideration with claims 12-14 and 38-40 being withdrawn from consideration.

### **All Claims Define Allowable Subject Matter**

Claims 1-6, 8, 20-27, 29-32, 34 and 41-42 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Akiyama* in view of *Okamoto*. Claims 7, 9, 33 and 35-37 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Akiyama* in view of *Okamoto* and further in view of *Hirata*. Claims 10-11 and 17 stand rejected under 35 U.S.C.

§ 103(a) as allegedly being unpatentable over *Akiyama* in view of *Okamoto* and *Hirata* and further in view of *La Roche*. To the extent that the rejections might be applied against the claims as newly-amended, they are respectfully traversed as being based on a reference or a combination of references that neither teaches nor suggests the novel combination of features recited in the claims.

With respect to each of independent claims 1, 15 and 27, as newly amended, Applicants respectfully submit that *Akiyama* in view of *Okamoto*, whether taken individually or in combination, do not teach or suggest the claimed combination including at least a feature of “wherein the selective reflection/transmission part is sandwiched by the second substrate and the second polarizer.”

The Office Action appears to suggest a reflection-type polarizing film 9 of *Akiyama* as the claimed “selective reflection/transmission part” and to allege that the reflection-type polarizing film 9 is formed on an outer surface of a glass substrate 3 of *Akiyama*. However, in contrast to the present invention of newly-amended independent claims 1, 15 and 27, *Akiyama*, as shown FIG. 8 for example, merely shows that the reflection-type polarizing film 9 is formed on an outer surface of a light scattering member 12 and is sandwiched by the light scattering member 12 and a polarizing film 11. *Akiyama* fails to teach or suggest that the reflection-type polarizing film 9 is sandwiched by the glass substrate 3 (apparently corresponding to the claimed “second substrate”) and the polarizing film 11 (corresponding to the claimed “second polarizer”). In other words, Applicants respectfully submit that *Akiyama* fails to teach or suggest the feature of “wherein the selective reflection/transmission part is sandwiched by the second substrate and the second polarizer,” as recited by each of newly-amended independent claims 1, 15 and 27.

In addition, the Office Action does not rely upon *Okamoto*, *Hirata*, and *La Roche* to remedy the above-noted deficiencies of *Akiyama*. Further, Applicants respectfully submit that *Okamoto*, *Hirata*, and *La Roche* cannot remedy the deficiencies of *Akiyama*.

Accordingly, Applicants respectfully assert that the combined teachings of these applied references, as well as the Office Action's reasoning and analysis, fail to establish a *prima facie* case of obviousness with regard to at least amended independent claims 1, 15 and 27.

MPEP § 2143.03 instructs that "[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 409 F.2d 981, 180 USPQ 580 (CCPA 1974)." Accordingly, Applicants respectfully assert that since all of the applied references, whether taken singly or combined, do not teach or suggest all the claim features, as newly amended, then the rejection of at least independent claims 1, 15 and 27 should be withdrawn. Likewise, Applicants respectfully assert that the rejection of claims 2-11, 16-26, 28-38, 41 and 42 should also be withdrawn at least for their dependencies upon respective newly-amended independent claims 1, 15 and 27.

With no other rejections pending, Applicants respectfully assert that claims 1-11, 15-37, 41 and 42 are in condition for allowance.

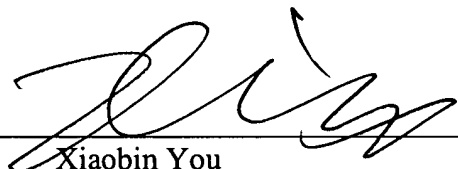
### **Conclusion**

In view of the foregoing, Applicants respectfully request reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicants' undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By   
Xiaobin You  
Reg. No. L0112

Dated: May 4, 2006

**Customer No.: 009629**  
**MORGAN, LEWIS & BOCKIUS LLP**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Telephone: 202.739.3000  
Facsimile: 202.739.3001